

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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|------------------------|---|------------------------------------|
| ROBERT CLOUD, et al., |) | 3:11-CV-0247-LRH (VPC) |
| |) | |
| Plaintiffs, |) | <u>MINUTES OF THE COURT</u> |
| |) | |
| vs. |) | May 7, 2012 |
| |) | |
| QUALITY HOME SERVICES, |) | |
| INC., et al., |) | |
| |) | |
| Defendant(s). |) | |
| _____ |) | |
| |) | |
| AND RELATED CLAIMS. |) | |
| _____ |) | |

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Defendants, Raymond E. Rathbun and Deborah G. Rathbun (“the Rathbuns”), moved the court for determination of good faith settlement between the Rathbuns and the plaintiffs, Robert and Sandra Cloud (“the Clouds”). The District Court referred this motion (#69) to the Magistrate Judge for consideration. The plaintiffs filed a notice of non-opposition (#71). No other response or opposition to the motion was filed. Therefore,

IT IS ORDERED that the motion for determination of good faith settlement (#69) is **GRANTED**.

IT IS FURTHER ORDERED that the settlement reached between the Rathbuns and the Clouds is reasonable and in good faith in light of the facts, allegations and defenses involved in the action. The settlement terms were reached after extensive arms-length negotiations between the settling parties. There has been no collusion between the settling parties, and the amount to

be paid by the Rathbuns is consistent with a reasonable evaluation of a potential judgment against the Rathbuns in this matter. The Rathbuns and the Clouds have given full and due consideration to the financial conditions of the settling parties, the discovery conducted in this case, the possible results of trial in this matter, and litigation costs and expenses that would be incurred absent this agreement and other financial benefits from settlement. All parties were accorded a fair and full opportunity to review and evaluate the nature of the allegations. After evaluation of all aspects of the claims, the Rathbuns and the Clouds agreed to settle their claims in consideration of a \$25,000 payment to be paid by the Rathbuns.

IT IS FURTHER ORDERED that the settlement terms shall be considered a good faith settlement pursuant to N.R.S. § 17.245, thereby precluding any pending or future claims for implied indemnity, equitable indemnity or contribution against the Rathbuns.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____/s/_____
Deputy Clerk